
By: **Senators Pinsky, Britt, Della, Grosfeld, Hughes, and Stone**
Introduced and read first time: February 4, 2004
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Medical Assistance Programs -**
3 **Disclosure of Employer**

4 FOR the purpose of requiring an individual applying for certain assistance programs
5 in the Department of Health and Mental Hygiene to identify the employer of a
6 proposed beneficiary; requiring the Department to make a certain annual report
7 to the General Assembly on or before a certain date; requiring the Department
8 to make available to the public certain information on the employer of a
9 proposed beneficiary; requiring the Department to adopt certain regulations;
10 defining certain terms; and generally relating to the disclosure of information
11 regarding an employer on application to certain assistance programs in the
12 Department.

13 BY repealing and reenacting, without amendments,
14 Article - Health - General
15 Section 15-101(a) and (i)
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2003 Supplement)

18 BY adding to
19 Article - Health - General
20 Section 15-141
21 Annotated Code of Maryland
22 (2000 Replacement Volume and 2003 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - Health - General**

26 15-101.

27 (a) In this title the following words have the meanings indicated.

28 (i) "Program" means the Maryland Medical Assistance Program.

1 15-141.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "ASSISTANCE PROGRAM" INCLUDES THE PROGRAM, THE MARYLAND
5 CHILDREN'S HEALTH PROGRAM DEVELOPED UNDER § 15-301 OF THIS TITLE, THE
6 MARYLAND PHARMACY ASSISTANCE PROGRAM DEVELOPED UNDER § 15-124 OF THIS
7 SUBTITLE, AND THE MARYLAND PHARMACY DISCOUNT PROGRAM DEVELOPED
8 UNDER § 15-124.1 OF THIS SUBTITLE.

9 (3) "PROPOSED BENEFICIARY" MEANS:

10 (I) AN INDIVIDUAL APPLYING FOR AN INDIVIDUAL'S OWN
11 BENEFITS FROM AN ASSISTANCE PROGRAM, INCLUDING CHILDREN AND OTHER
12 DEPENDENTS OF THE APPLICANT; OR

13 (II) AN INDIVIDUAL ON WHOSE BEHALF AN APPLICATION FOR AN
14 ASSISTANCE PROGRAM IS FILED, INCLUDING CHILDREN AND OTHER DEPENDENTS
15 OF THE INDIVIDUAL ON WHOSE BEHALF THE APPLICATION IS FILED.

16 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
17 DEPARTMENT SHALL REQUIRE AN INDIVIDUAL APPLYING FOR AN ASSISTANCE
18 PROGRAM TO IDENTIFY ON THE APPLICATION THE EMPLOYER OF THE PROPOSED
19 BENEFICIARY.

20 (2) IF THE PROPOSED BENEFICIARY IS NOT EMPLOYED, THE APPLICANT
21 SHALL IDENTIFY ON THE APPLICATION THE EMPLOYER OF ANY ADULT WHO IS
22 RESPONSIBLE FOR PROVIDING ANY FINANCIAL SUPPORT TO THE PROPOSED
23 BENEFICIARY.

24 (C) (1) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT SHALL
25 REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE
26 GOVERNMENT ARTICLE, ON THE EMPLOYERS IDENTIFIED UNDER SUBSECTION (B)
27 OF THIS SECTION, THE LOCATION OF THE EMPLOYERS, AND THE NUMBER OF
28 EMPLOYEES OF THE IDENTIFIED EMPLOYERS WHO ARE ENROLLED IN AN
29 ASSISTANCE PROGRAM.

30 (2) THE DEPARTMENT SHALL MAKE AVAILABLE TO THE PUBLIC THE
31 INFORMATION REQUIRED TO BE INCLUDED IN THE REPORT REQUIRED UNDER
32 PARAGRAPH (1) OF THIS SUBSECTION.

33 (3) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS
34 SUBSECTION AND THE INFORMATION MADE AVAILABLE TO THE PUBLIC UNDER
35 PARAGRAPH (2) OF THIS SUBSECTION MAY NOT CONTAIN PERSONAL IDENTIFYING
36 INFORMATION ON THE PROPOSED BENEFICIARIES.

37 (D) THE DEPARTMENT SHALL ADOPT REGULATIONS IMPLEMENTING THE
38 PROVISIONS OF THIS SECTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2004.